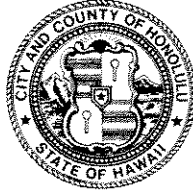


POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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April 9, 2009

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CITY COUNCIL  
HONOLULU, HAWAII

The Honorable Gary Okino, Chair  
and Members of the Committee on  
Transportation and Planning  
Honolulu City Council  
530 South King Street, Room 202  
Honolulu, Hawaii 96813

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HONOLULU, HAWAII

Dear Chair Okino and Councilmembers:

Subject: Bill 4, CD 2 (2009), Relating to the Use of Electronic Devices  
While Operating Motor Vehicles

I am Major Thomas Nitta of the Traffic Division, Honolulu Police Department (HPD), City and County of Honolulu.

The HPD strongly supports Councilmember Gary Okino's proposed Bill 4, CD 2 (2009), Relating to the Use of Electronic Devices While Operating Motor Vehicles. This bill addresses the safety issue of dividing the driver's attention while operating a motor vehicle with the use of electronic devices such as cellular phones, personal data assistants, video games, and texting devices and the myriad uses of these devices.

The HPD feels that Bill 4, CD 2 (2009), is a positive approach to the growing trend of society wanting to be connected or entertained. The safe operation of a motor vehicle is the primary duty of the driver, who should not be distracted or have his attention divided by these devices. This is a safety issue for all users of our roadways, drivers, passengers, pedestrians, and bicyclists.

A Harvard Center of Risk Analysis study has estimated that 6 percent of all crashes are caused by cell phone usage, equating to 636,000 crashes, 330,000 injuries, 12,000 serious injuries, and 2,600 deaths each year. Currently, an estimated 100 million people use cell phones while driving. It is reasonable to assume that driver distraction, which accounts for 80 percent of collisions, will rise with the growing trend of using electronic devices for various purposes.

A study done in 2001 by the University of Utah has shown that there is almost no cognitive difference between talking on a hand-held cellular phone and talking on a hands-free device. The cognitive distraction exists for both behaviors. The National Highway Traffic Safety Administration (NHTSA) estimated that 25 percent of all police-reported crashes are caused by driver distraction.

- Studies released by NHTSA have revealed that cellular phones are a multi-sensory distraction requiring the driver's eyes to locate the phone, hands to hold or push buttons, hearing or listening to a call, and attention to carry on the conversations.
- Brief glances away from forward roadways for purposes of scanning driving environment actually decrease near crash/crash risk.
- However, glances totaling more than 2 seconds for any purpose increase near-crash/crash risk by at least two times of the normal, baseline driving.

Relating to a 2006 study by Virginia Tech Transportation, data obtained from 69 crashes and 761 near-crashes, the authors computed the odds ratio, which represent the relative risk associated with a secondary task. The tasks were defined in three categories based on the number of button presses or eye-glances away from the road:

- Complex secondary tasks based on more than two button presses or eye-glances away from the road, including applying makeup, reaching for a moving object or a hand held device, and dialing a hand held device.
- Moderate secondary tasks defined as requiring at most two button presses or eye-glances, including talking or listening to a hand-held device, inserting a CD or cassette, or eating among others.
- Simple secondary tasks requiring at most one button press or eye-glance, including adjusting radio, drinking, or smoking.

Complex tasks were computed to be a 3.1, 2.1 for moderate secondary tasks, and 1.0 for simple secondary tasks. This means that drivers, when performing a complex secondary task, were exposed to approximately three times the risk of involvement in a crash or near-crash as compared to drivers who were not engaged in a secondary task.

In this same study, NHTSA reported that:

- Distracted drivers were 50 percent more likely to be killed or injured in crashes relative to attentive drivers.
- Distracted drivers were more likely to be involved in non-collision (i.e., single vehicle) or rear-end crashes than attentive drivers.

The Honorable Gary Okino, Chair  
and Members  
April 9, 2009  
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Research into exemptions for amateur radio operators reveal that currently only two states have addressed this issue. Washington State has an exemption for a person who holds a "valid amateur radio operator license" issued by the Federal Communications Commission. California law states "(e) This section does not apply to a person when using a digital two-way radio that utilized a wireless telephone that operates by depressing a push-to-talk feature, and does not require immediate proximity to the ear of the user, and the person is driving one of the following vehicles:" The California law then goes on to list a number of vehicles and license types.

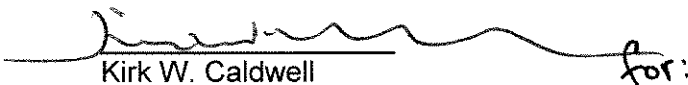
At present, no state in the United States of America has a total ban on the use of cellular phones while operating a motor vehicle. It is reported that talking on a cellular phone and talking on a hands-free phone has approximately the same amount of cognitive distraction. The intent of this bill in its current form is to address the prolific use of mobile electronic devices while operating a motor vehicle, and not to address all forms of driver distraction, nor to totally prohibit and ban the use of every form of electronic devices while operating a motor vehicle. The bill before this committee is practical, reasonable, and enforceable. It addresses safety and driver distraction, as opposed to the narrowly proposed ban on text messaging and video games, which was not enforceable and is addressed in the current bill.

Thank you for this opportunity to testify.

Sincerely,

  
Thomas T. Nitta, Major  
Traffic Division

APPROVED:

  
Kirk W. Caldwell  
Managing Director

APPROVED:

  
Bolise P. Correa  
Chief of Police